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Legal Staff
International Division

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jean-Luc Dauvois

Confirmation No.: 6778

Application No.: 10/538,725

Art Unit: Not Yet Assigned

Filed: June 13, 2005

Examiner: James Thomson

For: METHOD FOR ACCESS CONTROL IN
DIGITAL PAY TELEVISION

PCT Legal Office
ATTN: Examiner James Thomson
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF ABANDONMENT
UNDER 37 C.F.R. § 1.181

Dear Sir:

In connection with the Notice of Abandonment issued on November 8, 2006, please consider the following request for Withdrawal of the Notice of Abandonment under 37 C.F.R. § 1.181.

Applicants assert that the present Request for Withdrawal of Abandonment is timely as it is being filed within two months of the mailing date of the Notice of Abandonment, as it is in accordance with 37 C.F.R. § 1.181(f).

Applicants filed a *bona fide* Petition under 37 C.F.R. § 1.47(b), in response to a Notification of Missing Requirements on July 7, 2006. See MPEP § 409.03. In response to the Petition under 37 C.F.R. § 1.47(b) filed on July 7, 2006, Examiner James Thomson issued a Decision on Petition, dated July 26, 2006, dismissing the petition filed on July 7, 2006. The dismissal mailed July 26, 2006 provided a two-month period for filing of a renewed petition and was silent with respect to the availability of extensions of time. MPEP § 409.03 states that Applicants may request reconsideration and file supplemental evidence in a case where a *bona fide* attempt was made to comply with 37 C.F.R. § 1.47(b) from the outset. Applicants are currently in the process of gathering supplemental evidence for a renewed petition.

Applicants received a Notice of Abandonment dated November 8, 2006, for failing to file a renewed petition by September 26, 2006. However, Applicants assert that extensions of time are available for filing a renewed petition in this case, in accordance with 37 C.F.R. § 1.136(a).

In view of the above, Applicants assert that the Notice of Abandonment mailed November 8, 2006, was erroneously issued, and that a renewed petition may be filed in the present application on or before February 26, 2007, with up to a five-month extension of time. Further, Examiner James Thomson confirmed, via a telephone conversation on December 1, 2006, the facts stated above and agreed that the Notice of Abandonment mailed November 8, 2006, was erroneously issued. Accordingly, Applicants respectfully request withdrawal of the Notice of Abandonment issued on November, 8, 2006.

Applicants believe this request addresses all outstanding issues raised by the Notice of Abandonment issued on November 8, 2006. If this belief is incorrect, please feel free to contact the undersigned. While we believe that no fee is due with this request, if any fees are due, please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.091001). If a petition is required for this request, please consider this request as such, and charge the necessary fee to the Deposit Account above.

Respectfully submitted,

Date: December 19, 2006



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Application No. (if known): 10/538,725

Attorney Docket No.: 11345709-1001

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Certificate of Express Mailing Under 37 CFR 1.10

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Date

Debra V. Wieser

Signature

Debra V. Wieser

Typed or printed name of person signing Certificate

22511

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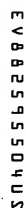
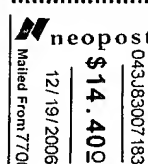
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Amendment Transmittal Letter (1 page)
Request For Withdrawal Of Abandonment Under 37 C.F.R. § 1.181 (3 pages)
Return Receipt Postcard (1 page)

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AMENDMENT TRANSMITTAL LETTER			Docket No. 11345/091001	
Application No. 10/538,725-Conf. #6778	Filing Date June 13, 2005	Examiner Not Yet Assigned	Art Unit Not Yet Assigned	

Applicant(s): Jean-Luc Dauvois

Invention: METHOD FOR ACCESS CONTROL IN DIGITAL PAY TELEVISION

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	6	- 20 =	0	x 50.00	0.00
Independent Claims	5	- 5 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity
 ☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount of \$ _____.


☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0591 as described below.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.



Jonathan P. Osha
Attorney/Agent Reg. No.: 33,986

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Dated: December 19, 2006

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